

Arbitrators

AT 24 LINCOLN'S INN FIELDS

Sir Jack Beatson

Sir Jack Beatson FBA studied law at Brasenose College Oxford and obtained first class degrees (BA and BCL). Called to the bar (Inner Temple) in 1973, he became a bencher in 1994 and was appointed Queen's Counsel in 1998. In 2000 he was awarded a higher doctorate (DCL) by the University of Oxford for distinction by original contribution to the advancement of the study of law.

He was until February 2018 a member of the Court of Appeal of England and Wales. Between 2003 and 2012, he was a Judge of the High Court, primarily sitting in the Commercial Court and the Administrative Court. He had previously combined academic and public roles with a mixed commercial and public law practice at what is now Essex Court Chambers (which he joined in 1983). He was the Rouse Ball Professor of English Law at Cambridge University and a Fellow of St John's College, Cambridge between 1994 and 2003, a member of what is now the United Kingdom's Competition Commission between 1995 and 2001, a Law Commissioner for England and Wales between 1989 and 1994, and before that had been a Fellow of Merton College Oxford and a Lecturer in the Faculty of Law at the University of Oxford.

His commercial litigation and arbitration practice included shipping, insurance, banking and finance, sales and energy law, and issues of construction and jurisdiction. His public law practice included economic regulation, trade union law and judicial review of decisions about the terms and conditions of public employees such as police officers. He led the Law Commission's work on contract and commercial law, civil evidence, damages, administrative law, and financial services. At the Competition Commission the inquiries he served on included those into London Airports, the supply and pricing of milk, Northern Ireland electricity, and the provision of services such as chemotherapy at the homes of seriously ill patients. His arbitration experience included acting as counsel in an ICC arbitration with a claim which exceeded £500 million relating to a contract of sale.

In the Court of Appeal and Commercial Court, Sir Jack's judgments in the field of international arbitration included *AmTrust Europe Ltd v Trust Risk Group SpA* [2015] 2 Lloyd's Rep. 154 (scope of arbitration clause in insurance contracts framework agreements), *Yegiazaryan v Smagin* [2016] EWCA Civ 1290 (challenge to arbitrators' jurisdiction), and *Republic of Serbia v Imagesat International NV* [2010] 1 Lloyd's Rep 324 (arbitrability, public international law, state succession, estoppel).

Sir Jack was one of the founding editors of *Arbitration International*, serving between 1985 and 1989 when he had to resign on joining the Law Commission. He has authored and edited leading legal texts including *Anson's Law of Contract* (27th – 31st

eds.), Chitty on Contract, co-editor (25th – 28th eds.), Good Faith and Fault in Contract Law (author & joint editor OUP 1995).

Since retiring from the Bench, Sir Jack has accepted appointments as arbitrator, mediator; and as an expert on English Law.

Recent Appointments

Presiding arbitrator in an LCIA arbitration relating to alleged breaches under a Lease Agreement with claims in excess of €2 million;

Co-arbitrator in an LCIA arbitration relating to alleged breaches of a medical equipment distribution agreement with claims in excess of €3 million;

Presiding arbitrator in a gas pricing dispute under the ICC rules with a claim of US\$ 1.5 billion;

Co-arbitrator in an ad-hoc arbitration with a claim of over \$1 billion under a telecoms licensing agreement;

Co-arbitrator in an UNCITRAL arbitration administered by the LCIA regarding unfair prejudice pursuant to sections 994 and 996 of the Companies Act 2006;

Presiding arbitrator in an LMAA arbitration relating to a shipbuilding contract for the construction and sale of a crude tanker;

Presiding arbitrator in an ICC arbitration concerning the alleged failure to deliver the minimum quantity and quality of iron-ore pellet feed under a Sale and Purchase Agreement.

Current Memberships

- Justice of Appeal of the Cayman Islands Court of Appeal
- Judge of the Astana International Financial Centre Court in the Republic of Kazakhstan
- Member of the London Court of International Arbitration
- Member of the International Chamber of Commerce International Court of Arbitration

Education

Oxford; BA, Jurisprudence 1970; BCL 1972 (both 1st class Hons.); MA 1973, DCL 2000

Called to the Bar (IT) 1973; (Honorary Bencher, 1994); (Governing Bencher 2003)

Queen's Counsel 1998

Cambridge; LLD 2001

Fellow of the British Academy of Humanities and Social Sciences, 2001

Honorary Fellowships, **Oxford**: Merton (1994), Brasenose (2009); **Cambridge**: St John's (2006)

President, British Academy of Forensic Science 2007-2009

Member of Essex Court Chambers 1982-2003

Academic Appointments

Rouse Ball Professor of English Law, University of Cambridge (1994-2003);
Chairman, Faculty of Law (2001-2003)

Founding Director, Centre for Public Law, University of Cambridge (1997-2001)

Fellow in Law, Merton College; University Lecturer, University of Oxford (1973-1993)

Lecturer in Law, University of Bristol (1972-1973)

Visiting Professor of Law, University of Virginia Law School 1980, 1983, 2016 and 2019

Professorial Fellow, Law School, Melbourne University 2018 -2020

Distinguished Visiting Professor, University of Toronto (2000)

Visiting Fellow, University of Western Australia Law School (1988)

Visiting Senior Teaching Fellow, National University of Singapore (1987)

Visiting Professor, Osgoode Hall Law School, Toronto, Canada (1979)

Visiting Professor, University of Oxford (2019 - 2021)

Regulatory and Law Reform Appointments

1999-2000 Review of Bailiff Law (for Lord Chancellor's Department) enacted by
Tribunals and Enforcement Act 2007, Part III

1995-2001 Member of the Competition Commission

(panels served on included inquiries into BAA London airports, supply
and pricing of milk, Northern Ireland Electricity, chemotherapy at home)

1994-1998 Member of the Civil Committee of the Judicial Studies Board

1989-1994 Law Commissioner for England and Wales

(primarily responsible for work and reports on contract and commercial law, civil evidence, damages, administrative law, and financial services. Consequent legislation: Carriage of Goods by Sea Act 1992, Civil Evidence Act 1995; part of Private International Law (Misc Prov) Act 1995; part of Damages Act 1996)

Judicial Appointments & Responsibilities

2018-	Judge of the Cayman Islands Court of Appeal
2018-	Judge of the Astana International Financial Centre Court
2013-18	Judge of the Court of Appeal of England and Wales
2005-15	Judge in Charge of Parliamentary Relations
2003-13	Judge of the Queen's Bench Division of the High Court
2009-13	QB (Administrative Court) Liaison Judge (Midland and Wales Circuits)
2003-2005	Member of Judicial Working Party on Constitutional Reforms
1999-2003	Deputy High Court Judge
1999-2003	Member of Data Protection Tribunal (National Security)
1994-2003	Recorder of the Crown Court

Selected Public Lectures

Keynote address at the IPBA Asia-Pac Arbitration Day, Kuala Lumpur, 2015 International arbitration, public policy considerations and conflicts of law: the perspectives of reviewing and enforcing courts (2017) 33 Arbitration International 175

Atkin Lecture, London 2017, *Judicial Independence: Internal and External Challenges and Opportunities*, <https://www.judiciary.uk/wp-content/uploads/2017/12/beatson-lj-atkin-lecture-20171201.pdf>

33rd Blackstone Lecture, Oxford University, 2009; *Reforming an Unwritten Constitution*, (2010) *Law Quarterly Review* 48

Presidential Address, British Academy of Forensic Science, *Forensic Science and Human Rights: The Challenges* (2009) *Medicine, Science and the Law*

Nottingham Trent University Distinguished Lecture Series 2008, *Judicial Independence and Accountability*, (2008) *The Judicial Review* 1

2004 Lionel Cohen Lecture, Hebrew University of Jerusalem, *Should Judges Conduct Public Inquiries?* (2005) *Law Quarterly Review* 221

Bibliography

Books and contributions to books:

Private Law

Anson's Law of Contract 31th ed. 2020 (also 27 - 30th eds.)

Chitty on Contract, an editor (25th- 28th eds.)

The Use and Abuse of Unjust Enrichment: Essays on the Law of Restitution OUP 1991 (author).

Good Faith and Fault in Contract Law (author & joint editor with D Friedmann) OUP 1995

Unjustified Enrichment: Cases, Materials and Texts (author & joint editor with E. Schrage) 2003

Public Law

Key Ideas in Law: The Rule of Law and the Separation of Powers (2021)

Human Rights: Judicial Protection in the UK (2008) with S Grosz, T Hickman and R Singh

Freedom of Expression and Freedom of Information (author & joint editor with Y Cripps) 2000

Human Rights: The 1998 Act and the European Convention, 2000 with S. Grosz and P. Duffy

New Directions in European Public Law (author & joint editor with T. Tridimas) 1998

Administrative Law: Cases and Materials (2nd ed. 1989), with M. Matthews

Other

Jurists Uprooted: German Speaking Émigré Lawyers in 20th Century Britain (author & joint editor with R. Zimmermann) 2004

Selected Judgments on Arbitration and Commercial Law

Arbitration:

Court of Appeal:

Yegiazaryan v Smagin [2016] EWCA Civ 1290 (section 67 challenge to arbitrators' jurisdiction)

AmTrust Europe Ltd v Trust Risk Group SpA [2015] EWCA Civ. 437, [2015] 2 Lloyd's Rep. 154 (scope of arbitration clause in insurance contracts framework agreements, allocation of jurisdiction)

[*Seagrain v Glencore Grain* \[2013\] EWCA Civ. 1627, \[2014\] 1 Lloyd's Rep 598](#) (arbitration appeal; GAFTA prohibition of export clause)

Commercial Court:

Thai Marpan Trading Co Ltd v Louis Dreyfus Commodities Asia Pte Ltd [2011] EWHC 2494 (Comm), [2011] 2 Lloyd's Rep. 704 (GAFTA award; effect of short notice of ETA of vessel)

African Fertilizers and Chemicals NIG Ltd v BD Shipsnavo GmbH & Co Reederei KG [2011] EWHC 2452 (Comm), [2011] 2 Lloyd's Rep 531 (jurisdiction to enter judgment in terms of a declaratory arbitration award)

TTMI Sarl v Statoil ASA [2011] EWHC 1150 (Comm), [2011] 2 All ER (Comm) 647 (arbitrators' jurisdiction, undisclosed principal, wrong owner named on charter, conduct of arbitrators)

[*Republic of Serbia v Imagesat International NV* \[2009\] EWHC 2853 \(Comm\)](#) [2010] 1 Lloyd's Rep 324 (arbitrability, public international law, state succession, estoppel)

Compania Sud Americana de Vapores SA v Nippon Yusen Kaisha [2009] EWHC 1606 (Comm), [2010] 1 Lloyd's Rep. 436 (abandonment, arbitrators' powers and duties, serious irregularity)

[*Equitas Ltd v Allstate Insurance Company* \[2008\] EWHC 1671 \(Comm\)](#) [2009] Lloyd's Rep. IR 227 (stay of arbitral proceedings)

Tchigirinski v Orton Oil [2009] EWHC 1739 (Comm) (injunction sought under Arbitration Act 1979, s 44(3) to restrain disposal of shares pending arbitration)

Colliers International Property Consultants v Colliers Jordan Lee Jafar Sdn Bhd [2008] EWHC 1524 (Comm), [2008] 2 Lloyd's Rep 368 (enforcement, non-disclosure, procedural irregularity, setting aside service out of the jurisdiction)

Gater Assets Ltd v Nak Naftogaz Ukrainiy [2008] EWHC 1108 (Comm), [2008] 2 Lloyd's Rep. 295 (enforcement of award, interest payable)

Commercial Cases:

Cayman Islands Court of Appeal

Primeo Fund v Bank of Bermuda (Cayman) & HSBC Securities 23 August 2017 (reflective loss as a bar to claim by liquidator against fund administrator and custodian)

Palladyne International Asset Management BV v Upper Brook (A) Ltd & others 18 November 2019 (whether a Sanctions Order prohibits adoption of resolutions by companies because they “enabled” use of frozen assets)

Gibson Consultants Ltd v The Emirates Capital Ltd. 9 September 2022 (whether liquidators had power to allocate available dividend chronologically)

Court of Appeal:

Marino v FM Capital Partners Ltd [2020] EWCA Civ. 245 (settlement payment by one defendant has no effect on restitution claim against co-defendant)

SCF Tankers Ltd (formerly Fiona Trust & Holding Corp) v Privalov and ors [2017] EWCA Civ. 1877

BAT Caribbean SA v PHP Tobacco Carib SARL [2017] EWCA Civ. 1131 (is provision in distribution agreement exclusive jurisdiction clause)

Sabbagh v Khoury [2017] EWCA Civ. 1120 (Share ownership dispute: scope of arbitration clauses; approach to jurisdiction over “anchor-defendant”)

CGL Group Ltd v Royal Bank of Scotland Plc [2017] EWCA Civ. 1073, [2017] CTLG 97 (Banks reviewing how interest rate hedging products sold to customers under agreement with Financial Conduct Authority not under a duty of care to those customers)

[*Irish Bank Resolution Corporation Ltd v Camden Market Holdings Corp* \[2017\] EWCA Civ 7](#) (consistency of pleaded implied term with express terms)

Evangelou & Ors v McNicol [2016] EWCA Civ 817 (construction of rules of unincorporated association; the Labour Party)

[*Globe Motors Inc v TRW Lucas Varity Electric Steering Ltd.* \[2016\] EWCA Civ 396, \[2017\] 1 All ER \(Comm\) 601](#) (construction of long-term supply agreement and effect of clause that required any amendment to be in writing and signed by the parties)

Rathbone Brothers plc v Novae Corporate Underwriting [2014] EWCA Civ. 1464, [2015] Lloyd's Rep. IR 95 (professional trustee/employee can claim on professional indemnity policy; subrogation)

Caresse Navigation Ltd v Zurich Assurances Maroc [2014] EWCA Civ 1366, [\[2015\] Q.B. 366](#) (anti-suit injunction, incorporation of jurisdiction clause in charter into bill of lading)

[*Dar Al Arkan Real Estate Development Co & Anor v Al Refai & Ors* \[2014\] EWCA Civ 715](#) (extra-territorial reach of proceedings for civil contempt against director of a foreign company)

Heritage Oil & Gas v Tullow Uganda Ltd [2014] EWCA Civ 1048 (scope of indemnity clause in oil and gas SPA)

JSC BTA Bank v Ablyazov [2013] EWCA Civ 928, [2014] 1 WLR 1414, rev'd [2015] UKSC 64 (scope of standard Commercial Court freezing order; contractual right to draw down under an unsecured loan facility not within it)

Antonio Gramsci v Lembergs [2013] EWCA Civ 730 (jurisdiction under Brussels Regulation, piercing the corporate veil)

Fish & Fish v Sea Shepherd UK [2013] EWCA Civ 534, rev'd [2015] UKSC 15 (jurisdiction, accessory liability in tort)

Commercial Court:

[*Al- Sadi v Al- Sadi* \[2011\] EWHC 976 \(Comm\)](#) (order for service out of the jurisdiction set aside because original pleadings disclosed no reasonable prospect of success and post-service amendments put the case on an entirely new legal basis)

[*Blue Sky One Ltd v Mahan Air* \[2009\] EWHC 3314 \(Comm\); \[2010\] EWHC 128 \(Comm\); \[2010\] EWHC 631 \(Comm\)](#) (illegality, trust and private international law in relation to leases of aircraft to Iranian company)

[*Islamic Republic of Iran SS Lines v Steamship Mutual Underwriting Assoc.* \[2010\] EWHC 2661 \(Comm\)](#) (measures taken under counter-terrorism legislation did not render P & I insurance cover illegal or frustrate contract.)

[*Meritz Fire and Marine Insurance Co v Jan De Nul NV* \[2010\] EWHC 3362 \(Comm\)](#) 134 Con. L.R. 252; (guarantee or performance bond)

Yarl's Wood Immigration Ltd. v Bedfordshire CC [2008] EWHC 2207 (Comm); [2009] 1 All ER 886 (company exercising the coercive powers of the state in operating a private detention centre under powers delegated could not sue the police authority under the Riot (Damages) Act 1886 for damage done to it by detainees); rev'd [2010] 2 QB 698.

[*Underwriting Members of Lloyd's Syndicate 980 & Ors v Sinco SA* \[2008\] EWHC 1842 \(Comm\)](#) [2009] Lloyd's Rep. I.R. 365 (jurisdiction; stay under Brussels Regulation)

[*West London Pipeline and Storage Ltd & Anor v Total UK Ltd & Ors* \[2008\] EWHC 1729 \(Comm\)](#) (litigation privilege, going behind affidavits)

[*Temple Legal Protection Ltd v QBE Insurance \(Europe\) Ltd* \[2008\] EWHC 843 \(Comm\)](#) [2008] Lloyd's Rep. I.R. 643 aff'd [2009] EWCA Civ 453 (legal expenses insurance; termination of agent's authority)

[General Trading Company \(Holdings\) Ltd v Richmond Corporation Ltd \[2008\] EWHC 1479 \(Comm\)](#) [2008] 2 Lloyd's R 475 (guarantee; penalty or liquidated damages clause)

Selected Judgments on Public Law

Court of Appeal:

R (W2 and IA) v Secretary of State for the Home Department [2017] EWCA Civ. 2146 (deprivation of citizenship on national security grounds; whether appeal to the SIAC is a practical, suitable and adequate alternative remedy to judicial review)

Chief Inspector of Education etc v Interim Executive Board of Al-Hijrah School [2017] EWCA Civ. 1426 (whether segregation of boys and girls in mixed school was unlawful discrimination)

Department for Business, Energy & Industrial Strategy v Information Commissioner [2017] EWCA Civ. 844, [\[2017\] PTSR 1644 \(Access to information; whether information about a component of a smart meter programme was "environmental information"](#) within Regulations)

R (Conway) v Secretary of State for Justice [2017] EWCA Civ. 275, (2017) 156 BMLR 169 (permission granted to challenge statutory bar on assisted suicide)

R (Howard League for Penal Reform) v Lord Chancellor [2017] EWCA Civ. 244, [2017] 4 WLR 92 (whether removal of legal aid for certain decisions concerning prisoners would lead to systemic unfairness)

R (Steinfeld) Secretary of State for Education [2017] EWCA Civ. 81 (lawfulness of bar on different-sex couples from entering civil partnership while government considers future arrangements)

R (British American Tobacco and ors) v Secretary of State for Health [2016] EWCA Civ 1182, [2017] ETMR 9 (lawfulness of plain paper packaging requirement for tobacco products)

R (ZAT & others) v Home Secretary [2016] EWCA Civ. 810, [2016] 1 WLR 4894 (operation of Dublin Regulation to unaccompanied children applying for asylum)

R (Shehzad & Chowdhury) v Home Secretary [2016] EWCA Civ. 615 (burden of proof where deception alleged, and adequacy of out of country appeal as alternative to judicial review)

R (FR (Albania)) v Home Secretary [2016] EWCA Civ. 605 (approach to challenge to certification of claim to asylum as "clearly unfounded")

R (Mott) v Environment Agency [2016] EWCA Civ. 564, [2016] 1 WLR 4338 (lawfulness of catch limits on salmon fishing; enhanced margin of appreciation to regulator where case involves scientific and predictive assessments)

R (Khan) v Home Secretary [2016] EWCA Civ. 416 (duty of candour by claimant in judicial review)

R (Detention Action) v Home Secretary [2014] EWCA Civ 1634 (need for policy of detaining all fast-track asylum seekers to meet common law requirements of clarity and transparency)

R (L) v West London Mental NHS Trust [2014] EWCA Civ. 47; [2014] 1 WLR 3103 (procedural requirements about hospital transfers should not turn a clinical, risk-based, evaluative judgment by clinicians into a judicial exercise)

R (Das) v Home Secretary [2014] EWCA Civ. 45; [2014] 1 WLR 3538 (approach to policy authorising detention of those with “serious mental illness” only in very exceptional circumstances”)

R (A) v Kent Constabulary [2013] EWCA Civ. 1706 (material not available when enhanced criminal records certificate compiled not relevant in assessing the proportionality of the disclosure)

R (Hemming) Westminster CC [2013] EWCA Civ. 591; [2013] PTSR 1377 (costs of enforcing a licensing system could not be reflected in licence fees charged because they were not costs of “authorisation procedures and formalities”; approach to recovery of unlawful overpayments)

Administrative Court and Divisional Court:

R (Chapti) v Home Secretary [2011] EWHC 3370 (Admin), [2012] 2 All ER 653 aff’d [2013] EWCA Civ 322, [2015] UKSC 68 (legality of English language requirement for entry of foreign spouses of UK nationals)

R (Ali & others) Secretary of State for Justice [2013] EWHC 72 (Admin), [2013] 1 WLR 3536, aff’d in part [2014] EWCA Civ. 194 (test for entitlement to compensation if conviction quashed)

[*R \(Brynmawr Foundation School\) v Welsh Ministers & Anor* \[2011\] EWHC 519 \(Admin\)](#) (power of Welsh Ministers and public authorities to make arrangements for the functions of one to be exercised by the other; approach to construction of a “constitutional” statute)

[*R \(SM & FM\) v Home Secretary* \[2011\] EWHC 338 \(Admin\)](#) (impact on legality of detention pending removal of inability to obtain emergency travel documents and the naturalisation of a detainee’s child)

[*R \(Boroumand\) v Home Secretary* \[2010\] EWHC 225 \(Admin\)](#) (appeal against a decision to deport does not raise a new implicit claim to humanitarian protection)

[*R \(Mabanaft Ltd\) v Secretary of State for Trade* \[2008\] EWHC 1052 \(Admin\)](#) aff’d [2009] EWCA Civ 224 (challenge to oil stocking regulations made under Directive 2006/67)

[Home Secretary v E \[2007\] EWHC 233 \(Admin\)](#) rev'd [2007] UKHL 47 (compatibility of control order with Article 5)

[R \(Law Society\) v Legal Services Commission \[2007\] EWHC 1848 \(Admin\)](#) [2008] Eu. L.R. 94 rev'd in part [2007] EWCA Civ 1264; [\[2008\] Q.B. 737](#) (Legal Services Commission; Tenders for Legal Aid Contracts)

[R \(Wetherspoon Plc\) v Guildford BC \[2006\] EWHC 815 \(Admin\)](#) [2007] 1 All E.R. 400; [2006] J.P.L. 1710 Licensing Act 2003 application of cumulative impact policy)

[R \(Yilmaz\) v Home Secretary \[2005\] EWHC 1068 \(Admin\)](#) [\[2005\] 1 W.L.R. 3944](#) (Immigration policy Fraud; Illegal entrants; EU Association Agreements)

[R \(Mersey Care NHS Trust\) v Mental Health Review Tribunal \[2004\] EWHC 1749 \(Admin\)](#) [2005] 1 W.L.R. 2469 (Tribunal hearings in public, position of Mental Health Review Tribunal under domestic law and Article 6)

Selected Articles

- 1 Unlawful Statutes and Mistake of Law: Is There a Smile on the Face of Schrödinger's Cat? in *Mapping the Law: Essays in Memory of Peter Birks* (2006):
- 2 The role of statute in the development of Common Law Doctrine (2001) 117 *Law Quarterly Review* 106
- 3 The Incorporation of the EU Directive on Unfair Terms in Consumer Contracts into English Law [1998] *ZEuPR* 957
- 4 Prematurity & Ripeness for Review (in *The Golden Metwand* eds Forsyth & Hare 1998)
- 5 From "Classical" to Modern Contract Law (with D. Friedmann), in *Good Faith and Fault in Contract Law* (eds Beatson & Friedmann) OUP 1995, pp 3-24
- 6 Public Law Influences in Contract Law, in *Good Faith and Fault in Contract Law* (eds Beatson & Friedmann) OUP 1995, pp 263-290
- 7 Restitution of taxes, levies and other imposts: defining the scope of the Woolwich principle (1993) 109 *Law Quarterly Review*. 406
- 8 The relationship between regulations governing the financial services industry and fiduciary duties (in *Commercial Aspects of Trusts and Fiduciary Obligations*, ed. McKendrick 1992)
- 9 Reforming the Law of Contracts for the Benefit of Third Parties: A second bite at the cherry, 1992(B) *Current Legal Problems* 1
- 10 Rights of Suit in Carriage by Sea 1991 *Lloyds M.C.L.Q.* 191 (with JJ Cooper)
- 11 Restitution from Company Directors, (1990) 106 *L.Q.R.* 365 (co-author)

- 12 Proportionality, (1988) 104 L.Q.R. 180
- 13 Benefit, Reliance and the Structure of Unjust Enrichment, (1987) *Current Legal Problems* 71
- 14 Financial Services: Who Will Regulate the Regulators? (1987) 8 *Company Lawyer* 34
- 15 The Courts and the Regulators, 1987 *Professional Negligence* 154
- 16 Public and Private in English Administrative Law, (1987) 103 *Law Quarterly Review* 34
- 17 Mistaken Payments and the Law of Restitution (1986) 36 *U. of Toronto LJ* 149 (with B. Bishop)
- 18 The Scope of Judicial Review for Error of Law (1984) 4 *Oxford J. Legal Studies* 22
- 19 Discharge for Breach: The Position of Instalments, Deposits and other Payments due before Completion (1981) 97 *Law Quarterly Review* 389
- 20 Legislative Control of Administrative Rulemaking: Lessons from the British Experience (1979) 12 *Cornell International Law Journal* 199
- 21 The Nature of Waiver of Tort (1978) 17 *U.W. Ontario L.R.* 1
- 22 Unrequested Payment of Another's Debt (1976) 92 L.Q.R. 188 (with P. Birks)
- 23 Duress as a Vitiating Factor in Contract (1974) *Cambridge Law Journal* 97